

**ENTERED**

April 25, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

CECIL DEMMERIT BANKS,

Plaintiff,

VS.

WILLIAM B. STEPHENS,

Defendant.

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CIVIL ACTION NO. 2:13-CV-00223

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION  
TO GRANT DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**


On March 31, 2016, United States Magistrate Judge Jason B. Libby issued his “Memorandum and Recommendation to Grant Defendant’s Motion for Summary Judgment” (D.E. 21), recommending that Plaintiff’s claims be dismissed as moot. The parties were provided proper notice of, and opportunity to object to, the Magistrate Judge’s Memorandum and Recommendation. FED. R. CIV. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been filed.

When no timely objection to a magistrate judge’s memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge’s memorandum and recommendation. *Guillory v. PPG Industries, Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Services Auto Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge’s Memorandum and Recommendation (D.E. 21), and all other relevant documents in the record, and finding no clear error, the Court **ADOPTS** as its own the

findings and conclusions of the Magistrate Judge. Accordingly, the Defendant's Motion for Summary Judgment (D.E. 20) is **GRANTED** and this action is **DISMISSED AS MOOT**. To the extent Plaintiff is seeking reimbursement for attorney's fees, costs, or expenses, those claims are dismissed.

ORDERED this 25th day of April, 2016.

  
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NELVA GONZALES RAMOS  
UNITED STATES DISTRICT JUDGE